
By: **St. Mary's County Delegation**
Introduced and read first time: February 13, 2004
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 26, 2004

CHAPTER _____

1 AN ACT concerning

2 **St. Mary's County - Deputy Sheriffs - Command-Level Appointees**

3 FOR the purpose of altering in St. Mary's County an appointed personnel position in
4 the Sheriff's office from a Captain to a command-level position; requiring the
5 County Commissioners and the Sheriff to set the number, rank, and salaries of
6 the command-level positions and approve the creation, continued existence,
7 funding, or reestablishment of a command-level position; authorizing the
8 Sheriff to appoint command-level personnel with the approval of the County
9 Commissioners; requiring that when the appointment to a command-level
10 position ends as a result of certain actions, the individual serving in that
11 position returns to a certain rank under certain circumstances; and generally
12 relating to command-level appointees in the Sheriff's office in St. Mary's
13 County.

14 BY repealing and reenacting, with amendments,
15 The Public Local Laws of St. Mary's County
16 Section 120-2 A.(1) and B.
17 Article 19 - Public Local Laws of Maryland
18 (2002 Edition, as amended)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

Article 19 - St. Mary's County

120-2.

A. (1) Except for the Sheriff, all personnel of the Sheriff's office shall participate in the merit system of St. Mary's County and shall be hired and governed by the rules of that system. [A Captain] COMMAND-LEVEL PERSONNEL appointed by the Sheriff in accordance with Subsection B of this section shall participate in the merit system except to the extent that the rules of that system conflict with the provisions of Subsection B of this section.

B. (1) Subject to [the qualifications under Paragraph] PARAGRAPHS (2)(B) AND (3) of this [subsection] SUBSECTION, the Sheriff may appoint, without examination, [a Captain,] COMMAND-LEVEL PERSONNEL who shall serve in [that] THE position ASSIGNED BY THE SHERIFF AND at the pleasure of the Sheriff.

(2) The County Commissioners AND THE SHERIFF shall [set]:

(A) SET the [salary of the Captain] NUMBER, RANK, AND SALARIES OF COMMAND-LEVEL POSITIONS; AND

(B) APPROVE THE CREATION, CONTINUED EXISTENCE, FUNDING, OR REESTABLISHMENT OF A COMMAND-LEVEL POSITION.

(3) (A) Only a deputy sheriff who holds the permanent rank of Sergeant or Lieutenant in the St. Mary's County Sheriff's office is eligible for appointment to [Captain] A COMMAND-LEVEL POSITION.

(B) THE AUTHORITY OF THE SHERIFF TO APPOINT AND ASSIGN A COMMAND-LEVEL POSITION IS SUBJECT TO THE APPROVAL OF THE COUNTY COMMISSIONERS.

(4) While serving [as Captain] IN A COMMAND-LEVEL POSITION, an individual may participate IN THE[.]:

(a) [In the] Sheriff's officer retirement plan[.]; AND

(b) [In the competitive] COMPETITIVE promotional process for the next rank above the individual's permanent rank.

(5) When the appointment [of the Captain] TO A COMMAND-LEVEL POSITION ends BY AN ACTION OF THE SHERIFF, IN A FAILURE OF THE COUNTY COMMISSIONERS TO FUND THAT POSITION, OR BY THE RESCISSION OF APPROVAL FOR THAT COMMAND-LEVEL POSITION, [the Captain] THE INDIVIDUAL SERVING IN THAT POSITION shall return to the rank held before being appointed [to Captain] or, if the [Captain] INDIVIDUAL qualified for a higher rank while serving as [Captain] A COMMAND-LEVEL APPOINTEE, to the higher rank.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

